

AMENDED IN ASSEMBLY JUNE 15, 2006

AMENDED IN ASSEMBLY APRIL 6, 2006

AMENDED IN SENATE MAY 2, 2005

SENATE BILL

No. 1078

Introduced by Senator Simitian

February 22, 2005

An act to add ~~Section 46001 to~~ and repeal Section 46001 of the Education Code, relating to pupils.

LEGISLATIVE COUNSEL'S DIGEST

SB 1078, as amended, Simitian. Pupil attendance: electronic monitoring.

Existing law requires that attendance in all schools and classes shall be recorded and kept according to regulations prescribed by the State Board of Education or as specified.

This bill would prohibit a public school, school district, and county offices of education from issuing any device to a pupil that uses radio waves to transmit personal information, as defined, or to enable personal information to be viewed remotely for the purposes of recording the attendance of a pupil at school, establishing or tracking the location of a pupil on school grounds, or both. *The bill would repeal these provisions as of January 1, 2010.*

Vote: majority. Appropriation: no. Fiscal committee: no.
State-mandated local program: no.

The people of the State of California do enact as follows:

SECTION 1. Section 46001 is added to the Education Code, to read:

46001. (a) A public school, school district, or county office of education shall not issue to a pupil any device that uses radio waves either to transmit personal information remotely or to enable personal information to be read remotely for either or both of the following purposes:

(1) Recording the attendance of a pupil at school.

(2) Establishing or tracking the location of a pupil on school grounds.

(b) For the purposes of this section, “personal information” means any of the following: the name, address, telephone number, e-mail address, date of birth, religion, ethnicity, photograph, fingerprint or other biometric identifier, school identification number, California Identification Card number, social security number, or any other unique identifier of the pupil.

(c) For purposes of this section, “reader” means a scanning device that is capable of using radio waves to communicate with a device issued to a pupil and read the personal information broadcast or transmitted by that device.

(d) For purposes of this section, “remotely” means that no physical contact between a device issued to a pupil and a reader is necessary in order to transmit personal information.

(e) *This section shall remain in effect only until January 1, 2010, and as of that date is repealed, unless a later enacted statute, that is enacted before January 1, 2010, deletes or extends that date.*